

Sandy City Planning Commission

Agenda

April 5, 2018

Meeting procedures are found at the end of this agenda. In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256

4:00 PM **FIELD TRIP** (Bus departs from west steps of City Hall)
5:15 PM **EXECUTIVE SESSION** (Community Development Conference Room)

Utah League of Cities and Towns Training

6:15 PM **REGULAR SESSION** (City Council Chambers, Main Floor of City Hall)

Welcome
Pledge of Allegiance
Introductions

Miscellaneous

- | | | |
|----|--|-----------------|
| 1. | Lyon - Review of 30% Slope – Pepperwood Phase 9, Lot 915
33 Lone Hollow (approx. 11350 South 2500 East)
[Pepper Dell, Community #28] | SPEX-02-18-5367 |
|----|--|-----------------|

Conditional Use Permit

- | | | |
|----|--|----------------|
| 2. | Jorgensen Accessory Structure
(Review of Conditions)
1104 E. Fallbrook Way
[High Point, Community #6] | CUP-01-18-5349 |
|----|--|----------------|

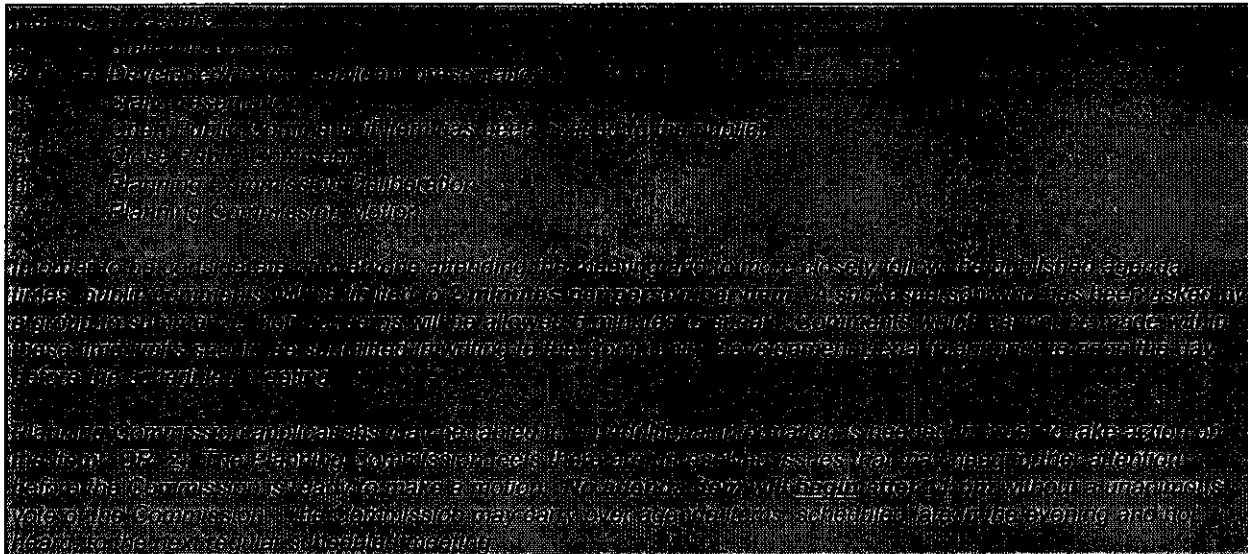
Subdivision

- | | | |
|----|---|----------------|
| 3. | Witherspoon Subdivision – Preliminary Review
8751 S. 40 E.
[Historic Sandy, Community #4] | SUB-02-18-5365 |
| 4. | Dimple Dell Ridge Subdivision – Preliminary Review
1713 E. Dimple Dell Rd
[Community #26] | SUB-09-17-5300 |

Administrative

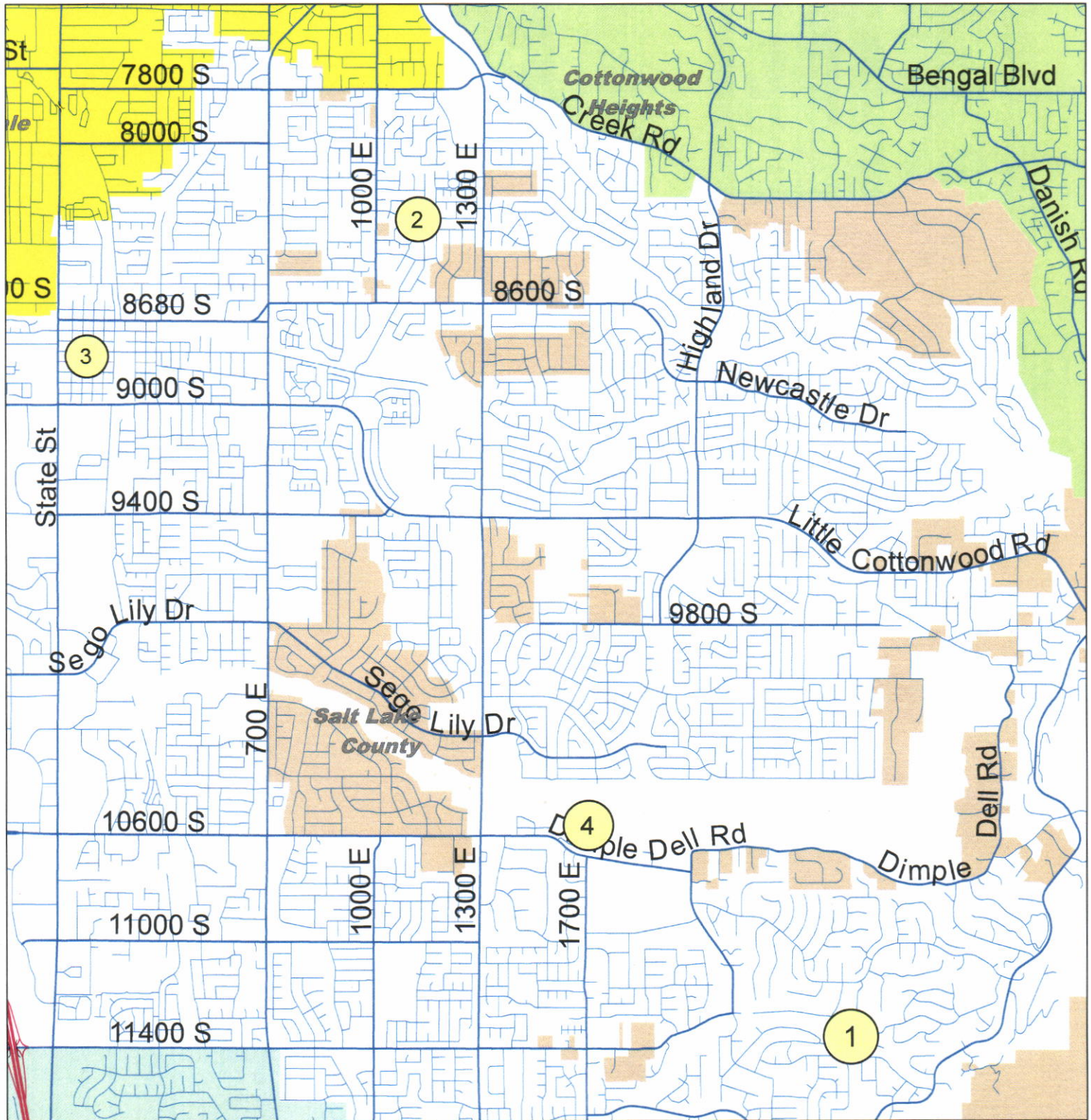
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|----|--|
| 5. | Voting for Vice Chair |
| 6. | Appointment to the Civic Center Architectural Review |
| 7. | Minutes for March 15, 2018 Planning Commission meeting |
| 8. | Sandy City Development Report |
| 9. | Planning Commission Attendance List |

10. Director's Report





Planning Commission Field Trip April 5, 2018



Legend

-  Locations to visit individually, with agenda item number
-  Locations to be visited on tour, with agenda item number

See Planning Commission agenda packet for specific addresses and details regarding the application.



PRODUCED BY THE
COMMUNITY DEVELOPMENT DEPARTMENT



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

March 27, 2018

To: Planning Commission
From: Community Development Department
Subject: Lyon - Review of 30% Slope - Pepperwood Ph 9, Lot 915 SPEX-02-18-5367
 33 Lone Hollow (approx. 11350 South 2500 East)
 [Pepper Dell, Community #28]

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
S#88-10	The Plat for Phase 9 was recorded on 6/21/1989 and includes 21 lots within the PUD(1.62) Zone.

REQUEST

Mr. Matt Lyon is requesting to modify a 30% slope designation on his property located at **33 Lone Hollow (approx. 11350 South 2500 East)** (see map for location). This proposal is to have the Planning Commission determine that a small area along the east side of this lot is not actually an area of 30% or greater slope and restricted from improvements. An approval will allow the area to be further improved. The applicant has plans to add a pool, retaining wall, and other landscape improvements to this area (see proposed plan).

BACKGROUND

The subject property is Lot 915 of the Pepperwood Phase 9 Subdivision (see the attached plat). This property is within the Sensitive Area Overlay Zone and the plat designated areas that contained slopes greater than 30%. This property is within the Pepperwood planned unit development (PUD) and is within the existing zoning of PUD(1.62). It is bordered on all sides by single family homes zoned PUD(1.62), PUD(2), and R-1-10.

NOTICE

Mailed notices were sent to property owners within a 500-foot radius of the subject parcel to notify them of the Planning Commission meeting. No neighborhood meeting has been held on this item. Staff did require the applicant to have the adjacent neighbors acknowledge the request in writing (see attached signed letter).

ANALYSIS

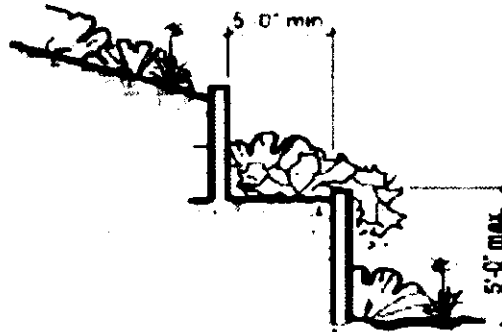
There is a note on the plat that contains the Planning Commission's Conditions of Approval. Condition #14 prohibits grading, cuts, fills, terracing or vegetation removal on slopes of 30% or greater. The Planning Commission, upon receiving a recommendation from the City Engineer, can approve such alterations. Mr. Lyon has approached the City with this request to alter an area that was designated as 30% slope on the plat. The applicant provided a new field survey (attached) along with an engineered site plan (see Site Plan). This illustrates the platted 30% slope area versus the actual areas of 30% slope. It also shows the other site improvements the applicant is desirous to make including a retaining wall at the edge of the 30% slope line, pools, patio, etc. (see attached Pool and Retaining Wall Design).

The City Engineer has reviewed the request and the materials provided by the applicant thoroughly. After this review and a site visit, he has provide a positive recommendation to the Planning Commission to approve the request of Mr. Lyon (see the attached Public Works Letter). He has found that a portion of the area designated on the plat as 30% slope on lot 915, does not match the field survey as shown on the site plan.

Planning Staff has only one concern regarding the proposed retaining wall. Most of the wall is five (5) feet or under, but there are portions of the wall that go up to eight (8) feet in height, particularly in close proximity to the property line. The development code requires that any wall located along a property line that exceeds five (5) feet in height must set back five (5) feet between the segmented retaining wall. In section 15A-28-08 of the Land Development Code it states:

15A-28-08 Retaining Walls

Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall shall not exceed 5 feet. For cuts/fills to be retained that exceed 5 feet, retaining walls shall be stepped and separated horizontally by a minimum of 5 feet. The uppermost retaining wall may be topped by a fence, wall, or hedge of the height that would otherwise be permitted at the location if no retaining wall existed. The Planning Commission may grant a special exception to this criteria where it can be shown that this provision would cause an unreasonable hardship to the property, e.g. where the stepping would eliminate the side or rear yard leaving the property owner with a strip of unusable yard space (less than five (5) feet), or where it may not be practical due to adjoining uses).



Staff believes that the applicant can modify this design to comply with the code without need of an additional special exception. However, the Planning Commission is empowered with the ability to grant it per the above code citation.

STAFF RECOMMENDATION
Recommendation

Staff asks that the Planning Commission **determine whether an alteration to a designated 30% slope** should be granted for Lot 915 of the Pepperwood Phase 9 Subdivision. If an alteration is granted, it shall be based on the following:


Findings:

1. The Pepperwood Phase 9 Subdivision's Conditions of Approval states that Planning Commission may allow alterations to a designated 30% slope with a recommendation from the City Engineer.
2. The City Engineer has recommended approval of the request to alter the 30% slope area based on the site plan prepared by Focus Engineering.

Conditions:

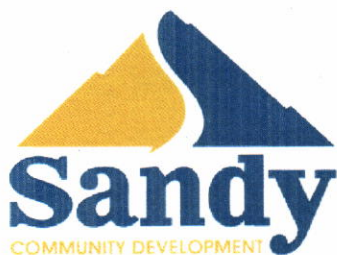
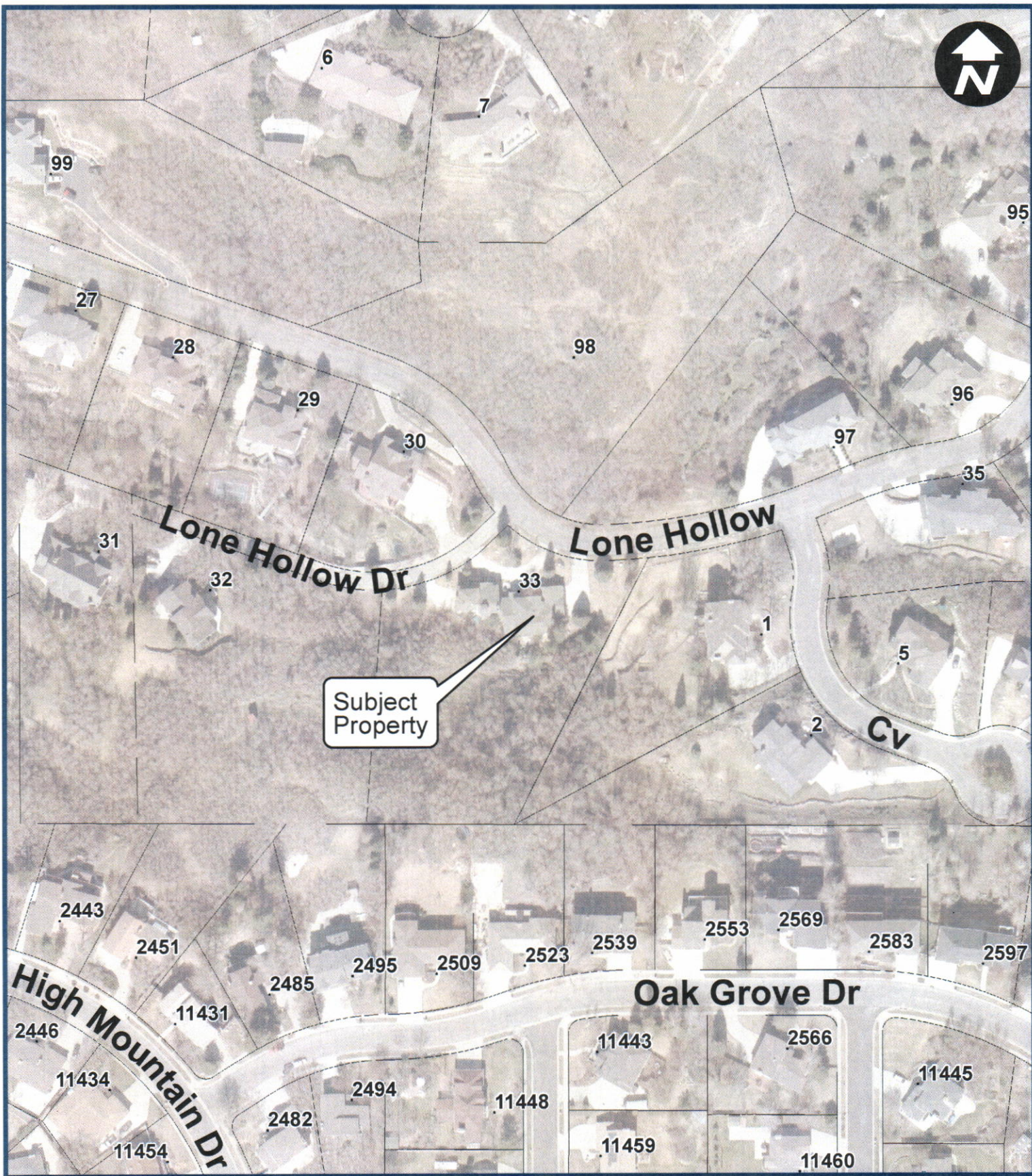
1. That the applicant/builder/owner be required to comply all other applicable requirements related to the Sensitive Area Overlay Zone.
2. That the balance of conditions of approval, as shown on the recorded plat (refer to recorded conditions of approval - S#88-10), remain in force and are not nullified by this action.
3. That the applicant improve the site based on the site plan presented to the Planning Commission and City Engineer, except as required to be modified for the retaining wall design.
4. That portions of the proposed retaining wall be redesigned to comply with development code requirements for additional step back when placed along the property line and are over five (5') in height.
5. That the applicant obtain the necessary building permits for construction of the proposed retaining walls and pools.

Planner:

Reviewed by: 



Mike Wilcox
Zoning Administrator



SPEX-02-18-5367
Lyon - Review of 30% Slope
Pepperwood Phase 9, Lot 915, 33 Lone Hollow



PRODUCED BY OLIVIA CVETKO
THE COMMUNITY DEVELOPMENT DEPARTMENT

Neighbors,

I own Lot 915 in Pepperwood (33 Lone Hollow). I am requesting permission from the Planning Commission to grade and construct a retaining wall in an area that was designated as 30% slope on the Pepperwood Phase 9 Plat (see below). This will allow for a new patio, pool, and other improvements to my backyard and east side yard area. The existing native 30% slope area does not match the area designated on the plat. To change this designation and allow me to build the proposed improvements as shown, the Planning Commission must review the request before I can proceed.

The City Staff has asked that the neighboring property owners be advised of this request prior to going before the Planning Commission. By signing below, you are simply acknowledging that you have been notified and advised of my proposed plans and intentions to seek approval from the City. You may contact Mike Wilcox, Zoning Administrator (801-568-7261, mwilcox@sandy.utah.gov), if you have any questions regarding this request or want to provide comment, input, or feedback to the City regarding this request.


Property Owner Signature

Sue Ann Wilkinson
Printed Name

1 Lone Hollow Cove
Address

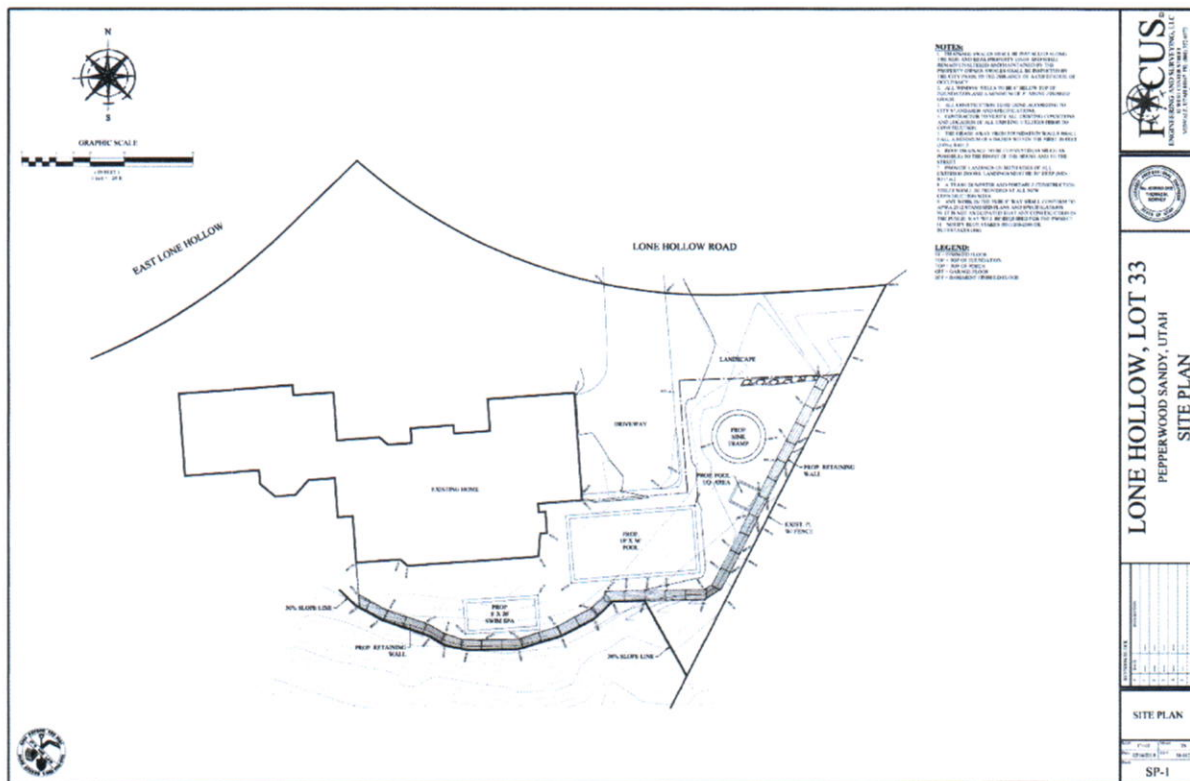
2-28-18
Date

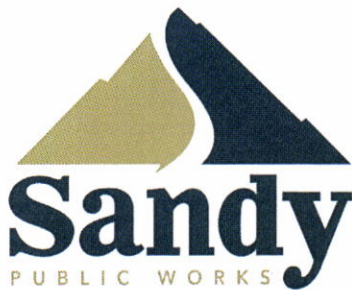

Property Owner Signature

Lorin R. Winegar
Printed Name

30 Lone Hollow
Address

Feb. 28, 18
Date





DEPARTMENT OF PUBLIC WORKS

Kurt Bradburn
Mayor

Matthew Huish
Chief Administrative Officer

Michael Gladbach, P.E.
Director

READY-FOR-PLANNING-COMMISSION MEMORANDUM

DATE: March 19, 2018
TO: Mike Wilcox, Zoning Administrator
FROM: Ryan C. Kump, P.E., City Engineer

Project Name: Lyon Residence Pool and Spa (Lot 915, Pepperwood Phase 9)
Project Address: 33 Lone Hollow

A field survey was recently conducted in order to make an accurate determination of where the 30%-or-greater-slope area is located on the above-reference lot. It has been determined that the actual 30%-or-greater-slope area is slightly different from that which is shown on the recorded plat for Pepperwood Phase 9.

A site plan has been prepared with a proposal for a retaining wall that would be constructed along the line that is just outside of the 30%-or-greater-slope area.

THE CITY ENGINEER RECOMMENDS that the Planning Commission approve the proposed site plan, based on the adjustment in the location of the 30%-or-greater-slope area.



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

April 5, 2018

To: Planning Commission
From: Community Development Department
Subject: Jorgensen Accessory Structure
(Review of Conditions)
1104 E Fallbrook Way
[High Point, Community #6]

CUP-01-18-5349
Zone: R-1-8
0.22 Acres

HEARING NOTICE: This item has been noticed to property owners within **500** feet of the subject area.

PROPERTY CASE HISTORY	
Case Number	Case Summary
CUP-01-18-5349	The Planning Commission heard the Conditional Use Permit application for this accessory structure on March 1, 2018. The Planning Commission voted unanimously to approve the request for CUP to allow the detached garage to increase in size and height, but upheld staff's decision to maintain a larger setback because of the increased height of the structure.

DESCRIPTION OF REQUEST

The applicant, Ron Jorgensen, is returning to the Planning Commission to request a review of the conditions of approval for a Conditional Use Permit (CUP) that he was recently granted to construct a detached garage in his rear yard. An email with the staff report attached for the March 1st meeting was sent to the applicant prior to the meeting for his review, however the applicant did not see the attachment. In the report, staff recommended that the application for the CUP be approved, but that the minimum setback of two (2) feet be increased to 4'6" due to the height of the structure. The applicant is requesting that the Planning Commission waive the requirement for increased setback for increased height and allow him to use the two (2) foot setback to his side property line. As proposed, the building will maintain a seven (7) foot setback to the rear property line to avoid a public utility easement.

NOTICE

For his previous submittal, the applicant collected signatures from the 12 neighbors in his immediate vicinity. Staff requested that he return and talk with his neighbors for this application.

The applicant has provided the letter he delivered to four of the neighbors who will be most impacted by the structure along with their signatures of consent. Additionally, staff has notified the property owners within a 500 foot radius of the subject property regarding this item.

ANALYSIS

Section 15A-11-02(A3b) of the Sandy City Development Code states that accessory structures exceeding 15 feet in height shall increase the minimum required setback one (1) foot for each one (1) foot of additional height above 15 feet up to the minimum setback for the primary dwelling. The required setback for an accessory structure is two (2) feet, which is what the applicant has requested. However, because the newly proposed garage is 17'3" tall, this section of the code requires that the structure be setback a minimum of 4'3" away from the property line. The Planning Commission has the authority to waive the additional setback requirement if it feels the impacts of the detached garage are minimal on adjacent properties.

STAFF RECOMMENDATION

Staff asks that the Planning Commission **determine whether an adjustment to the conditions of approval be made** to the approved Conditional Use Permit for Ron Jorgensen for the property located at 1104 E Fallbrook Way. The determination specifically relates to the 5th condition of approval from the findings and conditions of the original application as found below:

Findings

1. That the proposed structure is permitted by the zoning of the property.
2. That the impact of a detached garage built to enclose recreational vehicles may be less than it would be if the vehicles were stored unenclosed.
3. The property owners who would be most impacted by the structure are aware of the application.
4. That the impact of the structure is reduced due to the topography and landscaping of the property.

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
3. That any other existing accessory structures on the property be removed prior to the construction of the proposed garage.
4. That the structure have a maximum size of 936 square feet and 17'6" in height measured from average grade to peak of the roof as proposed in the application material.
5. That the structure be setback a minimum of 4'6" from the south side property line. The rear setback must be at least seven (7) feet so as not to encroach on the existing easement, unless the applicant submits waiver letters from all appropriate utility companies. In no case shall the rear setback be less than 4'6" unless the Planning

Commission determines otherwise.

6. That the design and materiality of the accessory structure is architecturally compatible to the primary structure on the property.
7. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Mitch Vance
Planner

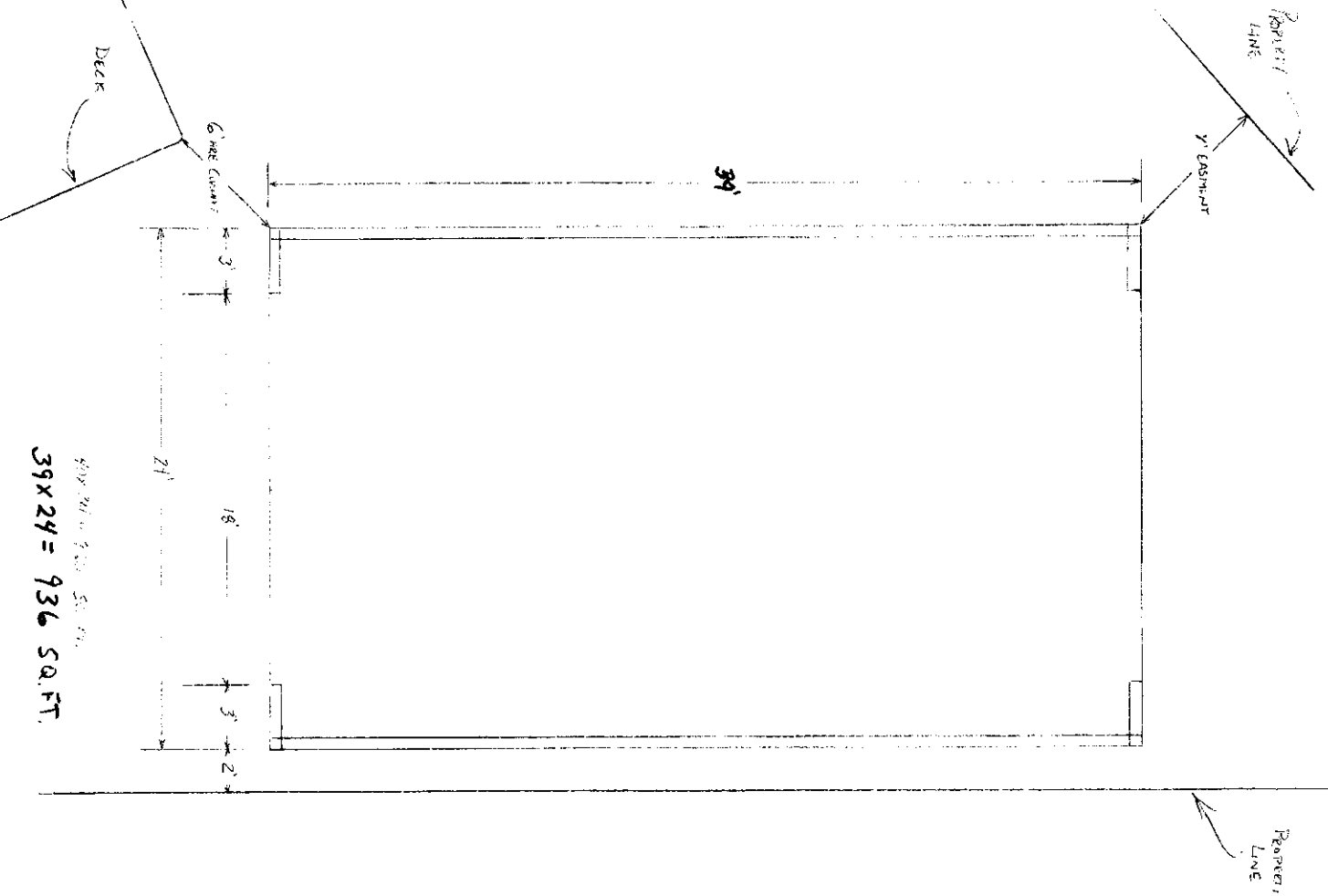
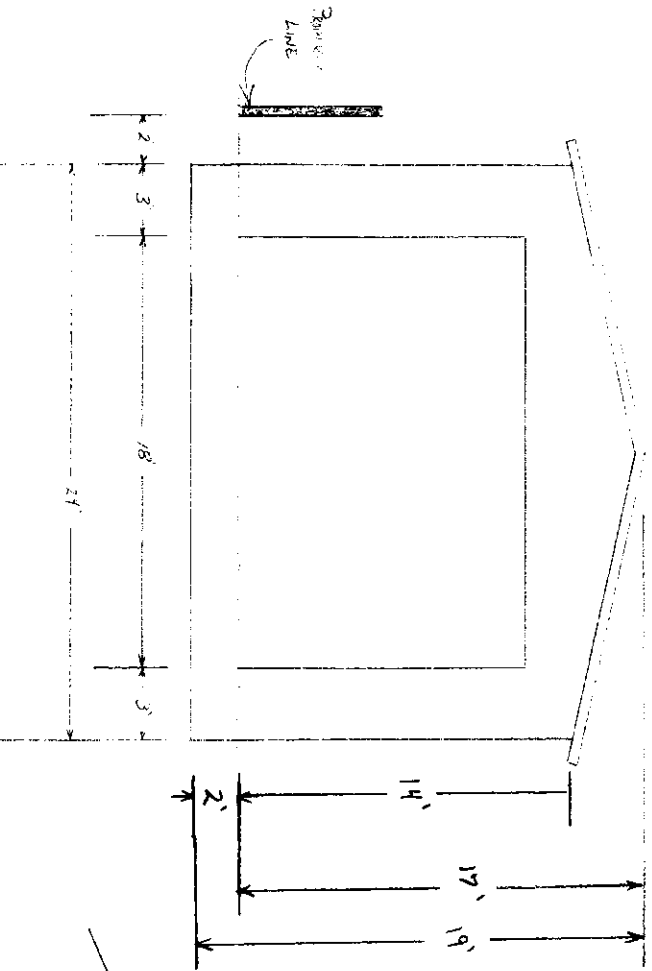
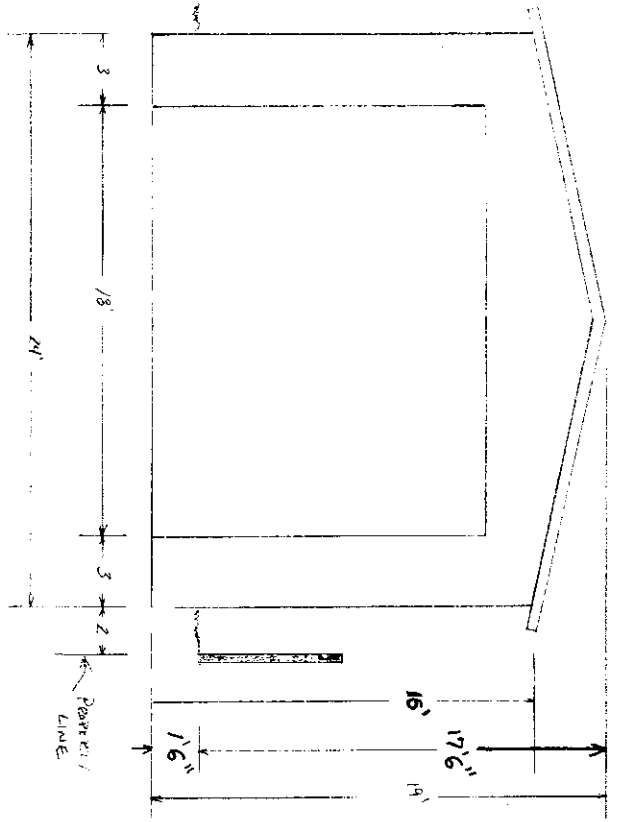
Reviewed by:



Brian McCuistion
Planning Director

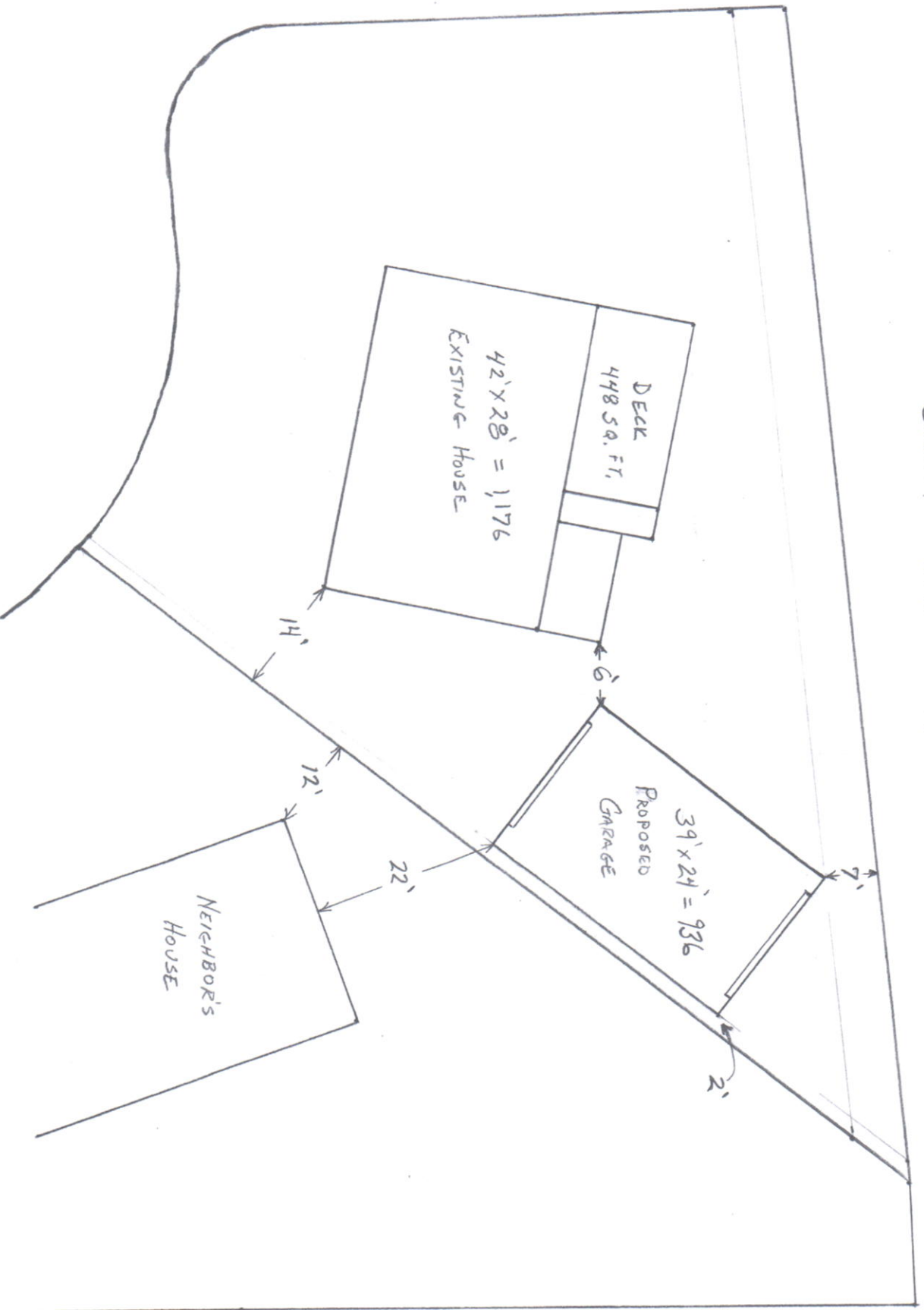
File Name: S:\USERS\PLN\STAFFRPT\2018\CUP-01-18-5349_Jorgensen Accessory Structure

16' CEILING 3 1/2 PITCH



$$39 \times 24 = 936 \text{ SQ. FT.}$$

JORGENSEN DETACHED GARAGE
1104 FALLBROOK WAY
SANDY UTAH 84094



Dear Neighbors, I am planning to build a detached RV storage garage in the rear of my property located at 1104 E Fallbrook Way, Sandy Utah. This letter is a follow-up to the project that I started in October of 2017.

On March 1 2018, I presented my project to the Sandy City Planning Commission meeting and requested a Conditional Use Permit (Increased height and size) the project was approved with 7 conditions that were recommended by the Planning Commission Staff.

#5 of the conditions recommended "That the structure setback a minimum of 4'6" from the south side property line. The rear setback must be at least seven (7) feet so as not to encroach on the existing easement unless the applicant submits waivers letters from all appropriate utility companies. In no case shall the rear be less than 4'6" unless the Planning Commission determines otherwise. "

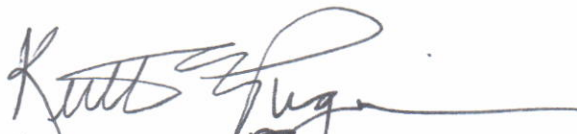
Section 15 A-11-02(A3b) of the Sandy City Development Code states that accessory structures exceeding 15 feet in height, shall increase the minimum required setback one (1) foot for each one (1) of additional height above 15 feet up to the minimum setback for the primary dwelling. The required setback for an accessory structure is two (2) feet, which is what the applicant has proposed. However, because the proposed garage is 17'6" tall, this section of the code requires that the structure be set back a minimum of 4'6" away from the property line. The Planning Commission has the authority to waive the additional setback requirement if it feels the impacts of the detached garage are minimal on adjacent properties.

After receiving the approval and while working on the redesign of the garage to meet approved conditions, the changes in the foot print of my garage altered some of the previous structural and architectural designs. The new square shape would require relocation which would mean that if I was required to maintain a distance of 4'6" from the property line I would have to remove a section of my existing deck from the rear of my house in order to maintain the 6' fire clearance required from the house.

I am proposing to ask for an amendment to the decision of the Planning Commissions to allow the garage to be built 2' from the Southern property line instead of 4'6", and to encroach a maximum of 2'6" on the 7' easement on the Eastern side of my property. These changes would place the garage 6' from my deck, meeting code requirements and require no further changes to the deck. I have requested and received encroachment permission letters from the 6 utilities involved on this easement. I have also had discussions with my neighbor to the south and he has stated that he has no future plans to build in the area adjacent to my property leaving 22' of clearance between the Northside of his house and the proposed garage.

I ask that if you have no issues or concerns with these changes to the proposed detached garage please sign and return this to me and I will present this with my appeal to the Planning Commission.

Thank you for your patience and assistance, Ron C Jorgensen


1096 E. FALLBROOK WAY
Sandy, UT 84094

Dear Neighbors, I am planning to build a detached RV storage garage in the rear of my property located at 1104 E Fallbrook Way, Sandy Utah. This letter is a follow-up to the project that I started in October of 2017.

On March 1 2018, I presented my project to the Sandy City Planning Commission meeting and requested a Conditional Use Permit (Increased height and size) the project was approved with 7 conditions that were recommended by the Planning Commission Staff.

#5 of the conditions recommended "That the structure setback a minimum of 4'6" from the south side property line. The rear setback must be at least seven (7) feet so as not to encroach on the existing easement unless the applicant submits waivers letters from all appropriate utility companies. In no case shall the rear be less than 4'6" unless the Planning Commission determines otherwise. "

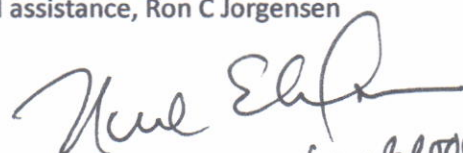
Section 15 A-11-02(A3b) of the Sandy City Development Code states that accessory structures exceeding 15 feet in height, shall increase the minimum required setback one (1) foot for each one (1) of additional height above 15 feet up to the minimum setback for the primary dwelling. The required setback for an accessory structure is two (2) feet, which is what the applicant has proposed. However, because the proposed garage is 17'6" tall, this section of the code requires that the structure be set back a minimum of 4'6" away from the property line. The Planning Commission has the authority to waive the additional setback requirement if it feels the impacts of the detached garage are minimal on adjacent properties.

After receiving the approval and while working on the redesign of the garage to meet approved conditions, the changes in the foot print of my garage altered some of the previous structural and architectural designs. The new square shape would require relocation which would mean that if I was required to maintain a distance of 4'6" from the property line I would have to remove a section of my existing deck from the rear of my house in order to maintain the 6' fire clearance required from the house.

I am proposing to ask for an amendment to the decision of the Planning Commissions to allow the garage to be built 2' from the Southern property line instead of 4'6", and to encroach a maximum of 2'6" on the 7' easement on the Eastern side of my property. These changes would place the garage 6' from my deck, meeting code requirements and require no further changes to the deck. I have requested and received encroachment permission letters from the 6 utilities involved on this easement. I have also had discussions with my neighbor to the south and he has stated that he has no future plans to build in the area adjacent to my property leaving 22' of clearance between the Northside of his house and the proposed garage.

I ask that if you have no issues or concerns with these changes to the proposed detached garage please sign and return this to me and I will present this with my appeal to the Planning Commission.

Thank you for your patience and assistance, Ron C Jorgensen


1090 E. FALLBROOK WAY
SANDY, UT 84094

Dear Neighbors, I am planning to build a detached RV storage garage in the rear of my property located at 1104 E Fallbrook Way, Sandy Utah. This letter is a follow-up to the project that I started in October of 2017.

On March 1 2018, I presented my project to the Sandy City Planning Commission meeting and requested a Conditional Use Permit (Increased height and size) the project was approved with 7 conditions that were recommended by the Planning Commission Staff.

#5 of the conditions recommended "That the structure setback a minimum of 4'6" from the south side property line. The rear setback must be at least seven (7) feet so as not to encroach on the existing easement unless the applicant submits waivers letters from all appropriate utility companies. In no case shall the rear be less than 4'6" unless the Planning Commission determines otherwise. "

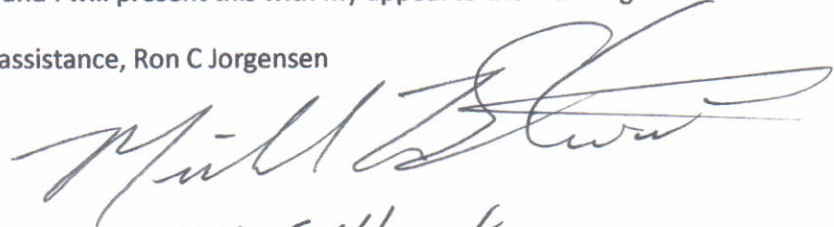
Section 15 A-11-02(A3b) of the Sandy City Development Code states that accessory structures exceeding 15 feet in height, shall increase the minimum required setback one (1) foot for each one (1) of additional height above 15 feet up to the minimum setback for the primary dwelling. The required setback for an accessory structure is two (2) feet, which is what the applicant has proposed. However, because the proposed garage is 17'6" tall, this section of the code requires that the structure be set back a minimum of 4'6" away from the property line. The Planning Commission has the authority to waive the additional setback requirement if it feels the impacts of the detached garage are minimal on adjacent properties.

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I ask that if you have no issues or concerns with these changes to the proposed detached garage please sign and return this to me and I will present this with my appeal to the Planning Commission.

Thank you for your patience and assistance, Ron C Jorgensen


1114 Fallbrook
Sandy, UT 84094

Dear Neighbors, I am planning to build a detached RV storage garage in the rear of my property located at 1104 E Fallbrook Way, Sandy Utah. This letter is a follow-up to the project that I started in October of 2017.

On March 1 2018, I presented my project to the Sandy City Planning Commission meeting and requested a Conditional Use Permit (Increased height and size) the project was approved with 7 conditions that were recommended by the Planning Commission Staff.

#5 of the conditions recommended "That the structure setback a minimum of 4'6" from the south side property line. The rear setback must be at least seven (7) feet so as not to encroach on the existing easement unless the applicant submits waivers letters from all appropriate utility companies. In no case shall the rear be less than 4'6" unless the Planning Commission determines otherwise. "

Section 15 A-11-02(A3b) of the Sandy City Development Code states that accessory structures exceeding 15 feet in height, shall increase the minimum required setback one (1) foot for each one (1) of additional height above 15 feet up to the minimum setback for the primary dwelling. The required setback for an accessory structure is two (2) feet, which is what the applicant has proposed. However, because the proposed garage is 17'6" tall, this section of the code requires that the structure be set back a minimum of 4'6" away from the property line. The Planning Commission has the authority to waive the additional setback requirement if it feels the impacts of the detached garage are minimal on adjacent properties.

After receiving the approval and while working on the redesign of the garage to meet approved conditions, the changes in the foot print of my garage altered some of the previous structural and architectural designs. The new square shape would require relocation which would mean that if I was required to maintain a distance of 4'6" from the property line I would have to remove a section of my existing deck from the rear of my house in order to maintain the 6' fire clearance required from the house.

I am proposing to ask for an amendment to the decision of the Planning Commissions to allow the garage to be built 2' from the Southern property line instead of 4'6", and to encroach a maximum of 2'6" on the 7' easement on the Eastern side of my property. These changes would place the garage 6' from my deck, meeting code requirements and require no further changes to the deck. I have requested and received encroachment permission letters from the 6 utilities involved on this easement. I have also had discussions with my neighbor to the south and he has stated that he has no future plans to build in the area adjacent to my property leaving 22' of clearance between the Northside of his house and the proposed garage.

I ask that if you have no issues or concerns with these changes to the proposed detached garage please sign and return this to me and I will present this with my appeal to the Planning Commission.

Thank you for your patience and assistance, Ron C Jorgensen

Leahy felt
8296 S. GRAMBLING WAY
SANDY, UT 84094



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

April 5, 2018

To:	Planning Commission	
From:	Community Development Department	
Subject:	Witherspoon Subdivision (Preliminary Review) 8751 S. 40 E. [Historic Sandy, Community #4]	SUB-02-18-5365 Zone: R-1-7.5 (HS) 0.29 Acres, 2 Lots

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

DESCRIPTION OF REQUEST

The applicant, Mr. Jim Witherspoon, is requesting preliminary subdivision review for a two lot single-family subdivision located in Historic Sandy. The 0.29 acre property is proposed to be split to create a 6,683 square foot corner lot where the existing home is located and a 5,688 square foot interior lot that would front onto 8760 South. The implementing the Historic Sandy Development (HSD) Overlay zone with this subdivision. The HSD Overlay zone is a floating zone meant to promote human scale pedestrian activity through the incorporation of specific development guidelines in exchange for reduced minimum lot size and frontage requirements.

BACKGROUND

The subject property is located in Tier 1 of the Historic Sandy Neighborhood on the block directly west of Main Street Park. Surrounding land uses are mostly single-family homes, particularly to the north and east. The parcels directly across the street to the south and west of the subject property are currently multi-family uses. There are also several commercial uses within one block of the property due to its proximity to State Street. The existing home on Lot 1 of the proposed subdivision is a contributing structure to the Historic District and will remain as it is now, although some outbuildings will be removed as part of the subdivision.

NOTICE

Notices were mailed to property owners within a 500 foot radius of the subject parcel to notify them of the Planning Commission meeting. The applicant held a neighborhood meeting on February 23, 2018. There were no citizens that attended. The applicant also met with this Historic Committee on February 14, 2018 to explain his proposal. Members of the Committee were in favor of the preservation of the flagstone ditches on the property and had no issues with the proposed subdivision.

ANALYSISHistoric Sandy Development Overlay Zone

The two lots created by the proposed subdivision meet the requirements of the HSD Overlay zone (Chapter 12 of the Sandy City Development Code). The purpose of the HSD Overlay zone is to encourage development and investment in the Historic Sandy Area by reducing the required minimum size and frontage of a lot, as well as providing a reduction in setbacks. In exchange for this flexibility, the Overlay details architectural and landscape requirements meant to promote development that compliments and enhances the historic nature of the district. Some of the more significant design requirements for lots within the HSD zone are as follows:

- Subservient garages, e.g., back-loaded detached with alley access, front loaded detached, attached, side entry attached, or a combination of the above. Garage shall not exceed 50% of the front elevation.
- Dwelling and garage gables facing streets and alleys.
- Covered and open front porches comprising at least 50% of the front elevation (not including the garage), in no case being less than 15 feet in length.
- Elevations and materials used on the home must be architecturally compatible with one of the different housing styles that may be found within the surrounding area.
- Entry sidewalks that connect directly to street sidewalks
- Windows and doors are required to occupy at least 25% of the front elevation.
- Dwelling footprints shall not occupy more than 50% of the lot.
- Street trees (planted 4 feet back from sidewalk) are required.
- A minimum of one evergreen tree (6 feet minimum) is required for each home.
- A variety of shrubs and flower beds shall be required for each home.

These design requirements, which are not part of the underlying R-1-7.5 (HS) zone, are used during the building permit process to ensure that homes are more compatible with historic structures in the area. Because the applicant plans to sell the newly created lot rather than build on it, there has been a notice to purchasers added on the proposed subdivision plat. This is meant to inform the purchasing party of Lot 2 of the additional design requirements that will be imposed as a result of the HSD Overlay.

Both proposed lots conform to the minimum 5,000 square foot lot size and 50 foot minimum lot frontage of the HSD Overlay zone. All architectural and landscape design elements as well as all setback and height regulations will be enforced through the building permit process.

CONCERNS

The existing house has a concrete driveway access off of 8760 South that cuts across the proposed new lot. This, as well as an existing shed and covered porch on the east side of the house, need to be removed in order for Lot 1 to meet the setback distance from the proposed new property line. The applicant has agreed to the removal of these items as part of the subdivision approval.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that preliminary review is complete using the Historic Sandy Development Overlay zone for the **Witherspoon Subdivision**, located at 8751 South 40 East, based on the following findings and subject to the following conditions:

Findings:

1. The subdivision, as proposed, meets all the standards required by the HSD Overlay zone.
2. That the Sandy Historic Committee has reviewed the application and has recommended approval.
3. That the subdivision will encourage additional investment in the Historic Sandy area.

Conditions:

1. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
2. That all City provisions, codes and ordinances are adhered to during the review, construction, and operations process of this project.
3. That all lots comply with all requirements of the Historic Sandy Development Overlay zone.
4. That the existing driveway on the south side of the property be removed along with any existing structure that would prohibit conformance with the regulations of the overlay or underlying zones.

Planner:



Mitch Vance
Planner

Reviewed by:



Brian McCuistion
Planning Director

The Sandy City Historic Committee is in favor of preservation sections of the stone gutters in Sandy City. We would like to address the gutters located at 8751 South 40 East. The home owners Jim and Janet Weatherspoon have done a suburb job in restoring and preserving the Stone Gutters along the side of their property.

Ryan Kump in the Public Works Department is not in favor of removing the gutters at the subject property. There is a cost to doing it. This section is not on a high traffic street.

We recognize that some stone gutters are in high traffic areas in the city and are a problem and should be removed for public safety.

As a committee we have reviewed the request to divide the lot and are ok with the request. It meets the requirements for the Historic District where the property is located.

The Sandy City Historic Committee would like to make the recommendation to the Planning Commission and the City's Planning Department to work with the Weatherspoon's on their request for the two lot subdivision.

Sincerely,

Jeff Smith

Sandy City Historic Committee Charman

8947 South 500 East, Sandy Utah

Ph: [801.230.7392](tel:801.230.7392)



DEPARTMENT OF PUBLIC WORKS

Kurt Bradburn
Mayor

Matthew Huish
Chief Administrative Officer

Michael Gladbach, P.E.
Director

READY-FOR-PLANNING-COMMISSION MEMORANDUM

DATE: March 6, 2018

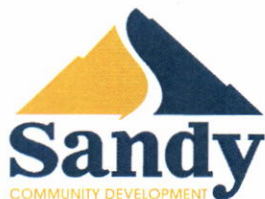
TO: Mitch Vance

FROM: Ryan C. Kump, P.E., City Engineer
Britney Ward, P.E., City Transportation Engineer
David J. Poulsen, Development Engineering Coordinator

SUBJECT: **Project Name:** Witherspoon 2-Lot Subdivision
Plan Case Number: SUB-02-18-005365
Project Address: 8751 South 40 East Street

A review of the above-mentioned project has been made. Following is a list of comments from the Public Works Department:

1. THE PRELIMINARY SUBDIVISION PLAT AND OTHER DOCUMENTS SUBMITTED BY THE DEVELOPER ARE GENERALLY ADEQUATE at this stage of the project with regard to Public Works Department concerns. A number of items will be required prior to final approval, including items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter, but these items are not required as part of this preliminary submittal.
2. THE PUBLIC WORKS DEPARTMENT RECOMMENDS THAT THE PLANNING COMMISSION DECLARE THAT PLANNING COMMISSION PRELIMINARY SUBDIVISION PLAT REVIEW IS COMPLETE, and that final project documents be prepared by the developer for review by city staff members.
3. PRIOR TO FINAL APPROVAL BY THE PUBLIC WORKS DEPARTMENT, the developer is required to complete all items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter.



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

April 5, 2018

To:	Planning Commission	
From:	Community Development Department	
Subject:	Dimple Dell Ridge Subdivision (Preliminary Review) 1713 E Dimple Dell Road [Community #26]	SUB-09-17-5300 Zone: R-1-20A 3.21 Acres, 3 Lots

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

DESCRIPTION OF REQUEST

The applicant, Mr. Adam Nash, is requesting preliminary subdivision and Sensitive Area Overlay review for a proposed three lot subdivision. The subject property is 3.21 acres in size and is located on the southern rim of Dimple Dell Park. The proposed subdivision includes a 1.68 acre lot for an existing home, and the creation of two lots (0.68 and 0.81 acres) that have large portions of steep slope area. The two new lots will be accessed via Dimple Dell Road to the south, while the existing home is accessed via Badger Cove. The proposed subdivision also defines the boundaries for a parcel currently used as a utility station located between the two proposed new lots. The utility parcel is not a buildable residential lot.

BACKGROUND

The subject property is made up of several parcels that the previous owner of the property created by deed through Salt Lake County. However, because the property was never formally subdivided, none of the parcels are buildable lots. The parcels have since been sold to different owners. The residents that live in the existing home off of Badger Cove own the northern half of the property, the applicant owns the southern half, and Dominion Energy owns the utility station. Going through the subdivision process will clarify property boundaries for these three parties and create lots that are legal for residential construction.

The subject property is bordered by Open Space zones to the west and north, where it borders Dimple Dell Park. It is surrounded on the east and south by matching R-1-20A zones, which includes the Larkin Mortuary across the street to the south of the property. The Villas at Dimple Dell PUD(4.56), which is a subdivision that was approved in 2016, is located to the southwest of the property. Conceptual plans to subdivide the subject property have been reviewed by staff in the past, but no formal applications have been submitted. The steep slope (sloping downward to the

north), as well as difficulties with access and the location of the utility station in the middle of the frontage, made compliance with the regulations of the R-1-20A zone difficult. The applicant has worked with staff through many rounds of conceptual lot configurations before arriving at the proposed layout.

NOTICE

Notices were mailed to property owners within a 500 foot radius of the subject parcel to notify them of the Planning Commission meeting. The applicant also held a neighborhood meeting on February 1, 2018. Other than the applicant and the neighborhood coordinator, no one attended the meeting. A letter from the neighborhood coordinator is attached to this report.

ANALYSIS

The R-1-20A zone is a single-family zone that requires lots to be at least 20,000 square feet in size. The “A” designation provides property owners with rights to have large animals on their property, to the degree that they maintain compliance with regulations for housing and storing of animals as found in Section 15A-11-03 of the Development Code. The zone is a standard zone in the city, which means that all provisions for setbacks, building height, lot frontage, lot size, etc. are all pre-determined by ordinance and must be adhered to. These provisions will be enforced through the building process once the subdivision is approved and recorded.

The subject property lies within Sandy City’s Sensitive Area Overlay (SAO), which means that the subdivision and any structure built on the proposed lots would need to conform to the provisions of the Overlay in addition the underlying zone. The purpose of the SAO is to provide standards, guidelines, and criteria that will minimize environmental hazards and protect the natural scenic character of sensitive areas within Sandy City. The subject property is included in the SAO because of the amount of continuous 30% slope area on the property as well as its adjacency to Dimple Dell Park. The proposed subdivision has been reviewed against the overlay and was found to be in compliance with its intent and provisions. Some of the regulations of the SAO that were considered during review include:

- Section 15A-15-04(A1a): Single family structures shall be located only upon areas constituting usable land, which area shall be fully contiguous, be at least 5,000 square feet in size and have a minimum dimension, both length and width, of 50 feet.
- Section 15A-15-04(A2a): No dwellings or accessory structures shall be constructed within an average of 20 feet (no point being closer than 10) of a continuous hillside slope of 30% or greater. The City Engineer may require greater setbacks from slopes based on geotechnical information.
- Section 15A-15-04(A2c): Structures requiring a building permit shall be set back no further than 150 feet from a public or private street unless otherwise approved by the Fire Marshal.
- Section 15A-15-04(B3a): Vegetation shall be removed only when absolutely necessary for the construction of roads, and filled areas.

All of the proposed lots meet the minimum usable area of 5,000 square feet as required by the SAO. The buildable pads for homes built on the lots are also shown on the plat. These pads are determined by the required setbacks, which include setback from property lines and required setback distances from areas of greater than 30% slope. The underlying zone allows for a minimum 20 foot front setback for lots with an overall average slope of at least 10%.

The existing home on the property historically was accessed directly from Dimple Dell Rd. via a steep driveway that cut through the 30% slope area. When the City improved Dimple Dell Rd. and installed a lighted intersection at the crossing of Dimple Dell Rd. and 1700 East, the access to the home was

moved to the west where Badger Cove meets Dimple Dell Rd. The old driveway to the home was removed, although the cut in the 30% slope was never completely restored. The applicant has proposed to use the existing cut, which has regrown natural vegetation, as a private trail access easement for both lots to be able to access Dimple Dell Park for outdoor recreation purposes.

When the direct access driveway to the existing home on property was moved to Badger Cove, the City installed improvements along Dimple Dell Rd. including a curb-cut access point in anticipation of development of this property that would function as the access to any new lots. Because almost all of the frontage for Lot 1 of the proposed subdivision is in the middle of an intersection, both lots will be accessed using the same access point located on the eastern part of the frontage of Lot 2. The driveway will be built within a 20 foot access and utility easement that will connect Lot 1 to the provided access onto Dimple Dell Rd. The applicant has shown that the driveway will be 12 feet wide, with 4 feet of landscaping on either side.

The parcels that make up the subject property as they are currently drawn have several portions of property that encroach slightly into the public right of way. In order to clean up ownership and maintenance of the area with the public right of way, these encroachments will be dedicated to the city through this plat. No new roads will be constructed as part of this subdivision.

CONCERNS

Staff has had a number of concerns during preliminary review, which have been addressed in the following ways:

- As proposed, the driveway access and the trail down to Dimple Dell Park will be shared and provide access to the eventual owners of Lots 1 and 2. Staff had concerns regarding the maintenance and use of these shared features of the subdivision. The applicant has stated that he plans to record a maintenance and access agreement with the subdivision that would ensure that the use of these accesses be preserved.
- The driveway through the access of Lot 2 for the benefit of Lot 1 has to wrap around the utility station due to the provision that both lots need to be accessed from one location. The grade and required turning radii for the driveway were causes of concern as to how the driveway would actually be engineered and installed. The applicant's engineer has shown how the driveway will be built on the grading plan. In order to comply with code, the driveway can be no steeper than 12% and any retaining walls must be less than five (5) feet in height. Engineering details will be provided during final review for staff review and construction of the driveway will be included as part of the bonded improvements for the subdivision.
- There were concerns regarding the feasibility of constructing a home within the buildable area of Lot 1 that would meet setbacks, minimum size requirements, and minimum garage requirements. The applicant has had an architect design a home that meets minimum standards of the zone. This home placement plan is attached to this report.
- The City has had issues with illegal grading on the subject property in the past. The Sensitive Area Overlay requires that any prior illegal grading or removal of vegetation must be restored as part of a subdivision application in order to bring the property back into compliance. The previous owner did a sufficient amount of restoration in the past to resolve any non-compliance issues. A letter from the City Engineer at the time that the issue was resolved is attached.
- Some neighbors have expressed concerns about a shallow sewer depth that would require pumps to be installed for any homes built on the proposed lots that have basements. A representative from the Sandy Suburban Improvement District stated that the sewer line is

nine (9) feet deep which should allow for basements to be included without a pump depending on the depth of the foundation. A notice to purchasers will be included on the plat that will notify future owners of this issue.

- The location of the utility station is unfortunate because it is located between the two proposed new lots. The station is unsightly and makes noises that may be unappealing for people living next to it. The applicant plans to construct a post and panel wall around the utility parcel, which would help to alleviate these problems. The wall would need to comply with the requirements for such fencing found in the Development Code including provisions regarding height, location, and fence/retaining wall regulations.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that the preliminary subdivision and Sensitive Area Overlay zone reviews area complete for the **Dimple Dell Ridge Subdivision**, located at 1713 East Dimple Dell Road subject to the following conditions:

1. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision can be recorded.
2. That all City provisions, codes and ordinances are adhered to during the review, construction and operations process of this project.
3. That all residential lots comply will all requirements of the R-1-20A zone and Sensitive Area Overlay zone.
4. That dwelling structures be prohibited from any area that is equal to or in excess of a 30% slope. The location of a dwelling structure shall be within an average of 20 feet (no point being closer than 10 feet) of a continuous hillside slope of 30% or greater.
5. That any area equal to or in excess of a 30% slope be indicated (cross-hatched) on the final plat, and that perspective builders and homeowners be apprised of the restrictive nature of the hillside lots.
6. That the existing slope ratio be unaltered and that grading and landscaping of any of the hillside areas have approval of the Sandy City Engineering Division in accordance with the Sensitive Area Overlay Zone prior to building permits being issued.
7. That grading, home placement, and vegetation plans be submitted and approved for all lots prior to issuance of a building permit. The grading plan shall include a driveway plan and profile to assure conforming driveway slope. Any down sloping driveway will require approval by the City Engineer.
8. That structures comply with the Urban Wildland Interface requirements. This means that all homes and accessory structure be constructed of materials approved with a minimum of a one hour rated fire resistive construction on the exterior side or constructed with approved noncombustible materials. This will be determined on a case by case basis at building permit review. Also, that an approved noncombustible or fire treated roof covering be utilized for each home.

9. That homes be placed in a manner that minimizes the removal of vegetation on each property. Where it must be removed to accommodate a house, areas with the least mature vegetation should be prioritized for home locations over areas with more mature vegetation.
10. That compliance be made with the Sandy City Water Policy, e.g., water line extensions, connections, water rights, and fire protection.
11. That a shared maintenance and access agreement for Lots 1 and 2 be recorded with the plat for the shared driveway access and private trail easement that provides access to Dimple Dell Park.
12. That the driveway access for Lot 1 be installed as part of the subdivision improvements and not by the future owner of Lot 1, that the installation of the driveway will be bonded as part of the subdivision improvements, and that the engineering and configuration of the driveway be reviewed and approved by the City Engineer.
13. That Lot 4 be approved as a public utility station lot and not deemed as a buildable residential lot.

Planner:



Mitch Vance
Planner

Reviewed by:



Brian McCuiston
Planning Director

Mitch,

Adam Nash is proposing to divide a lot at 1700-1725 East 10720 South (Dimple Dell Rd).

Adam Nash
Growth Aid Land Development
Adam@growthaid.com
[801-580-1428](tel:801-580-1428)

We gave the neighbors an opportunity to meet and voice any concerns about the development, however no one attended, just Adam and me.

The meeting was at 7:00 pm on Thursday Feb. 1 in Room 350 in the Sandy City Hall.

It needs to be said that the lots near Adam's development are large, Dimple Dell Regional Park is to the north, Larkin Cemetery is to the south, so at most there are very few neighbors involved.

I enjoyed meeting with Adam, and in my opinion the subdividing the lot in half and building two homes is consistent with the nature of the area, and would improve the appearance. Adam seems to have considered any impact neighbor, which may be one of the reasons none of the neighbors are concerned and didn't attend.

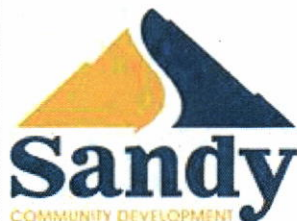
Regards,
Corey Bodily
Community Coordinator
coreybodily@gmail.com
[801-598-5984](tel:801-598-5984)

On Fri, Feb 2, 2018 at 2:10 PM, Mitchell Vance <MVance@sandy.utah.gov> wrote:

Hi Corey,

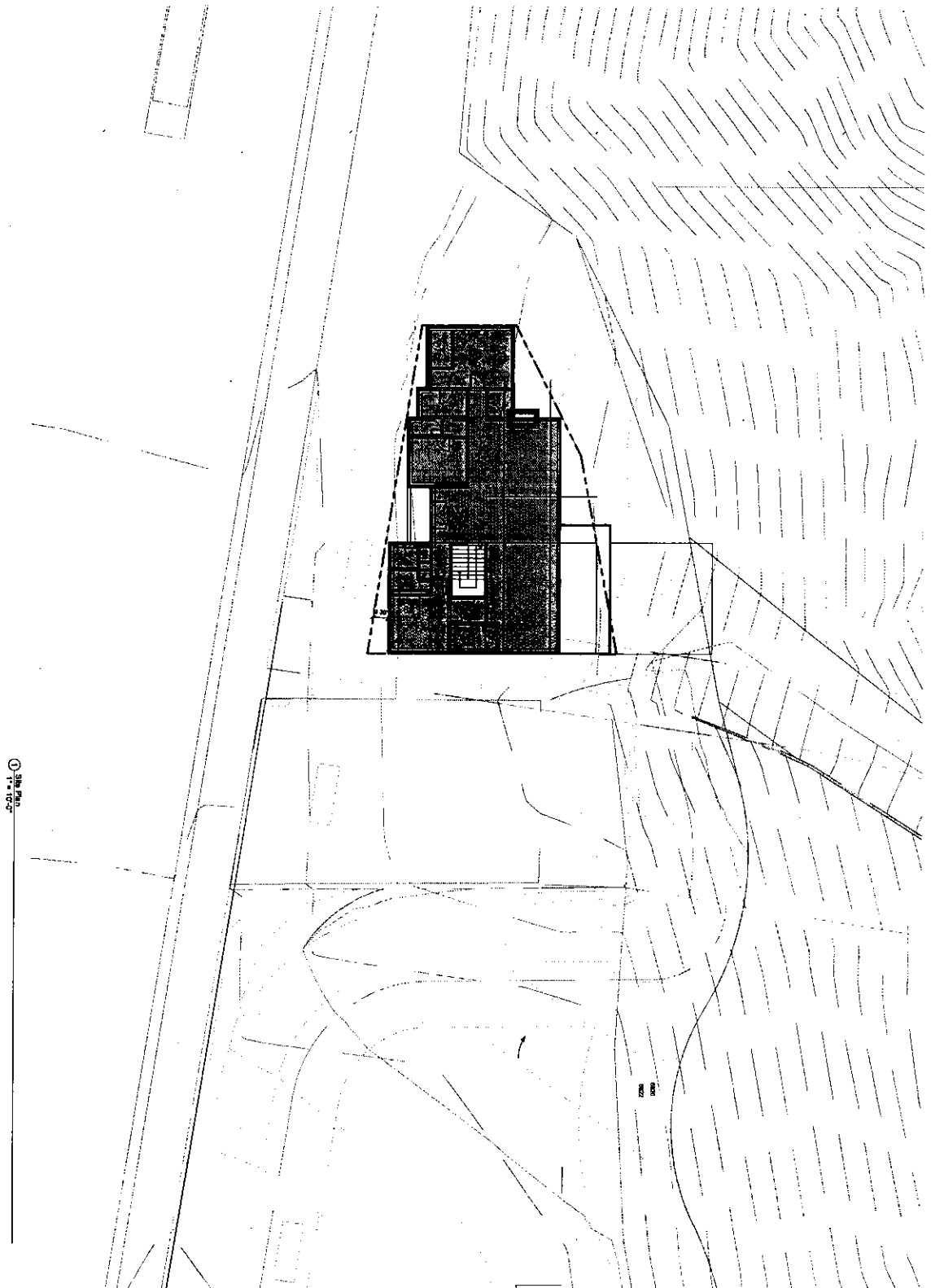
I got your message - thanks for hosting that meeting. If you could send me the details of the meeting, I'd really appreciate it!

Thanks,



Mitch Vance

Planner
10000 S. Centennial Parkway | Sandy, UT 84070
o: [801.568.7205](tel:801.568.7205) | mvance@sandy.utah.gov



① N
1" = 10' 0"

A0.1

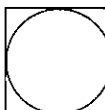
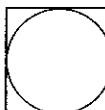
SITE PLAN

Project Name	1700 East Dimple Dell Road
Client	Mr. & Mrs. [Name]
Architect	Mendenhall & Design, LLC
Scale	As Shown

Sheet No.	1 of 1
Date	3/27/2018
Drawn By	[Name]
Checked By	[Name]
Approved By	[Name]

project: **RESIDENCE**
1700 EAST DIMPLE DELL ROAD
SANDY, UTAH 84000

THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. I AM A LICENSED ARCHITECT IN THE STATE OF UTAH. MY LICENSE NO. IS [Number].



Mendenhall & Design, LLC
ARCHITECTS
1700 EAST DIMPLE DELL ROAD
SANDY, UTAH 84000
801.277.2808



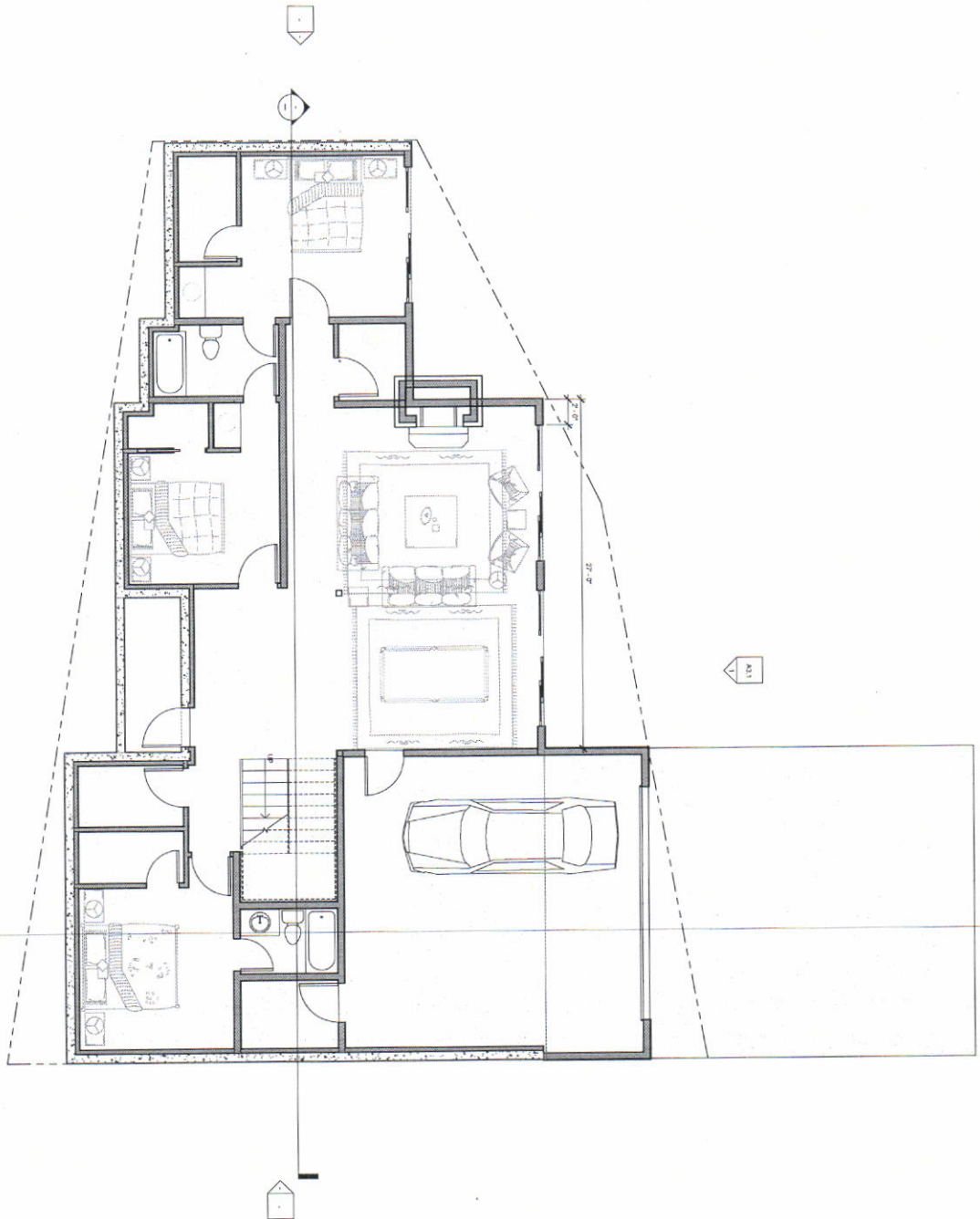


project: **RESIDENCE**
1700 EAST DIMPLE DELL ROAD
SANDY, UTAH 84000

[illegible]

**Mendenhall
Architecture
& Design, LLC**
4436 SOUTH HIGHLAND DRIVE
HOLDSVILE, UT 84117
801.277.2935





GARAGE = 576 SQ. FT.
 BASEMENT = 1,643 SQ. FT.
 GRAPHIC SCALE
 0 4 8 12 16
 1" = 4'-0"
 1" = 4'-0"

A2.0

FLOOR PLAN - BASEMENT

Project Name	1700 East Dimple Dell Road
Client	Mr. & Mrs. [Name]
Contract No.	000000
Drawn By	[Name]
Checked By	[Name]
Date	03/27/2018

NO.	DESCRIPTION
1	1700 EAST DIMPLE DELL ROAD
2	1700 EAST DIMPLE DELL ROAD
3	1700 EAST DIMPLE DELL ROAD
4	1700 EAST DIMPLE DELL ROAD
5	1700 EAST DIMPLE DELL ROAD
6	1700 EAST DIMPLE DELL ROAD
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9	1700 EAST DIMPLE DELL ROAD
10	1700 EAST DIMPLE DELL ROAD

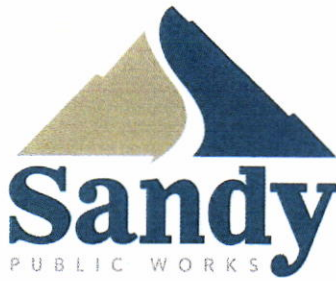
project: **RESIDENCE**
 1700 EAST DIMPLE DELL ROAD
 SANDY, UTAH 84000

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Manderhill Architecture & Design, LLC
 4500 SOUTH HIGHLAND DRIVE
 SALT LAKE CITY, UT 84117
 (801) 377-7500





DEPARTMENT OF PUBLIC WORKS

Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Rick Smith
Director

March 25th, 2014

Mr. D. Thomas Flynn
7465 Greenwood Village Drive
Midvale, UT 84047

RE: Illegal Fill on 30% Slopes in Sensitive Area Overlay District.

On March 19th and 20th I met with you on your property at 1700 East and 10600 South to coordinate the details of the restoration of your property (see letters dated August 14th, 2006 and February 21st, 2007, Subject same as above). This letter serves as notice that your property was restored as previously required. I appreciate your cooperation and effort to accomplish this and wish you the best with sale/development of the property.

If you have any questions I can be reached at 801-568-2968 or by email at mgladbach@sandy.utah.gov.

Thanks.

Michael C. Gladbach, P.E.
City Engineer



DEPARTMENT OF PUBLIC WORKS

Kurt Bradburn
Mayor

Matthew Huish
Chief Administrative Officer

Michael Gladbach, P.E.
Director

READY-FOR-PLANNING-COMMISSION MEMORANDUM

DATE: March 13, 2018

TO: Mitch Vance, Planner

FROM: Ryan C. Kump, P.E., City Engineer
Britney Ward, P.E., City Transportation Engineer
David J. Poulsen, Development Engineering Coordinator

Ryan Kump
Britney Ward
David J. Poulsen

SUBJECT: **Project Name:** Dimple Dell Ridge
Plan Case Number: SUB-09-17-005300
Project Address: 1700 East Dimple Dell Road

A review of the above-mentioned project has been made. Following is a list of comments from the Public Works Department:

1. THE PRELIMINARY SUBDIVISION PLAT AND OTHER DOCUMENTS SUBMITTED BY THE DEVELOPER ARE GENERALLY ADEQUATE at this stage of the project with regard to Public Works Department concerns. A number of items will be required prior to final approval, including items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter, but these items are not required as part of this preliminary submittal.
2. THE PUBLIC WORKS DEPARTMENT RECOMMENDS THAT THE PLANNING COMMISSION DECLARE THAT PLANNING COMMISSION PRELIMINARY SUBDIVISION PLAT REVIEW IS COMPLETE, and that final project documents be prepared by the developer for review by city staff members.
3. PRIOR TO FINAL APPROVAL BY THE PUBLIC WORKS DEPARTMENT, the developer is required to complete all items mentioned in the drawing redlines, the "Plan Case Comments," and the "City Engineer Requirements" letter.